

In the News

Judges Reach Out to Desert Communities

Communities in the Desert Judicial District of Riverside County are asking to hear from their local judges more than ever.

An article in the February 25 *Desert Sun* (Riverside County) titled "Instead of Telling It to the Judge, Let the Judge Tell You" discussed the Desert Judges' Speakers Bureau, which schedules judges to speak to schools, community organizations, and other groups on a variety of legal topics. The story explained that the goal of the speakers bureau is to improve communications between the courts and the community, increase public understanding of the judicial system, and provide a forum for judges and community members to exchange views about common concerns.

"By speaking outside of the courtroom, we are building a pipeline to the community," says Judge Douglas P. Miller, supervising judge for the Superior Court of Riverside County's Desert Judicial District and assistant presiding judge for the county. "Response to the program has been very positive, from both the community and from judges participating as speakers."

Although the Desert Judicial District had been sending

judges out as speakers by request on an ad hoc basis for years, it formalized the bureau more than 18 months ago. The program is modeled after one in the Superior Court of Los Angeles County that the Desert judges had read about in *Dialogue*, a how-to handbook produced by the Judicial Council's Special Task Force on Court/Community Outreach. The speakers bureau began sending letters to schools and community organizations to advertise the program and the speech topics available. The bureau offers audiences approximately 15 topics, including family law, landlord/tenant issues, and juvenile matters. The issue most popular with audiences to date is jury duty.

Since the *Desert Sun* article appeared, two judges were invited to address viewers of a community-access cable channel, and the court is getting more calls for speakers than it has available judges.

Other court-related programs in the news:

"Yolo Court Staff Looks at Improved Public Service," *The Daily Democrat* (Woodland), March 1, 2001

Reported on the Superior Court of Yolo County's staff retreat that



Superior Court of Riverside County Judge James S. Hawkins addresses participants in the Palm Desert Youth Court, a program that provides an alternative to the traditional criminal justice system for first-time juvenile offenders. Photo: Carlos Chavez; reprinted with permission from the February 27, 2001 edition of the *Desert Sun* (Riverside County).

was used as a vehicle to re-engineer job duties to improve service to the public.

"Youth Court Records Success," *The Desert Sun* (Riverside County), February 27, 2001

Described the Palm Desert Youth Court in Riverside County, which provides an alternative to the traditional criminal justice system for first-time juvenile offenders accused of misdemeanors.

"Drug Court: Substance Abusers Face Their Day Before Local Judge," *Sun-Star* (Merced), February 19, 2001

Detailed the drug court in the Superior Court of Merced County and explained how it as-

sists in the treatment and rehabilitation of nonviolent drug offenders "who desire to change their lives by breaking the cycle of drugs and crime."

"Professionals Cast Their Shadows for Students," *Martinez Record*, February 15, 2001

Mentioned how Alhambra High School students periodically visit Contra Costa County's Martinez courthouse to take part in a job-shadowing program that enables them to learn about careers in the legal system, including those of judges, lawyers, clerks, administrators, and bailiffs. ■

E-Mail Service for Appellate Case Information

In April, the Court of Appeal for the Sixth Appellate District further improved public access to its case information by offering an Internet e-mail address (sixth.district@jud.ca.gov) that provides a way to receive quick and accurate answers to inquiries about pending cases and the court's filing practices and policies.

Last year all the state's Courts of Appeal launched an online case management system, whereby litigants, attorneys, and the public are able to retrieve up-to-date information about Court of Appeal cases by visiting <http://appellatecases.courtinfo.ca.gov>. The Sixth Appellate District's Internet e-mail service takes public access a step further by offering answers to specific questions raised by Web site visitors. Visitors can link to the e-mail system by entering the FAQ (Frequently Asked Questions) section of the Sixth District's Web site located at www.courtinfo.ca.gov/courts/courts/appeal/6thDistrict.

"We will try to answer questions by at least the next business day," says Michael Yerly, Clerk/Administrator for the Court of Appeal, Sixth Appellate District. "One of the first questions we received was from a pro per litigant who suspected that he had been excluded from a court proceeding. We assured him that he hadn't."

Both the First and Fourth Appellate Districts have similar e-mail addresses for responding to inquiries regarding court information.

Appellate Panel to Hear Trial Court Labor Disputes

In accordance with the recently enacted Trial Court Employment Protection and Governance Act and rule 2211 of the California Rules of Court, Chief Justice Ronald M. George announced the appointment of nine state Court of Appeal justices to hear writ petitions in the trial courts that involve labor relations disputes.

"This new program is designed to expedite the processing of labor relations matters in the trial courts and to provide a neutral party to hear these disputes," says Chief Justice George.

The Judicial Council adopted rule 2211, effective January 1, 2001, to provide procedures for hearing writ petitions filed under Government Code section 71639.1 that allege violations of labor relations agreements.

The rule requires that the Chief Justice create a panel consisting of at least one justice from each Court of Appeal district. The writ petitions will be filed and heard in superior court by a

Court of Appeal justice from a district other than the one in which the petition is filed. The rule also requires expedited handling of the petitions.

Each Court of Appeal justice appointed to the panel will serve for an initial one-year period. The Judicial Assignments Unit of the Administrative Office of the Courts will oversee the assignment process under the direction of the Chief Justice. ■

Chief Justice George has appointed the following justices to carry out this program through December 31, 2001:

First Appellate District

Presiding Justice Gary E. Strankman
Justice Carol A. Corrigan

Second Appellate District

Justice Robert M. Mallano
Justice Steven Z. Perren

Third Appellate District

Justice Richard M. Sims III

Fourth Appellate District

Justice James A. McIntyre
Justice Kathleen E. O'Leary

Fifth Appellate District

Justice Herbert I. Levy

Sixth Appellate District

Justice P. Bamattre-Manoukian

AOC to Offer Workers' Compensation for Trial Court Employees

As a result of the Trial Court Employment Protection and Governance Act (Sen. Bill 2140), courts are embracing their new role as employer as they take over responsibility for personnel matters from their counties. Continuing its efforts to assist the courts in this transition process by providing them with human resources support, the AOC's Human Resources (HR) Division will offer the trial courts an insured workers' compensation program as an alternative to their existing county plans, beginning July 1, 2001.

Since November 2000, HR Division staff, with assistance from insurance services consultants from the Robert F. Driver Company, have been working with the trial courts to assess their current workers' compensation needs and to develop an alternative program if the trial courts cease to participate in the county-provided plans. Staff is also continuing to send weekly e-mails to the trial courts providing further details and discussion on the development of the insured workers' compensation program.

"For courts that choose to participate in the AOC's workers' compensation program, the switch should basically be seamless," says Azucena Coronel, Senior HR Analyst and coordinator for the development of the workers' compensation program. "Court employees shouldn't notice any change in their plans, other than the administrator's name. By January 2003, we anticipate that the trial courts will be participating in a self-insured program."

Employer/Employee Labor Relations Training

In addition to offering assistance with workers' compensation insurance, the AOC is supporting trial court managers as they prepare to engage in effective collective bargaining with trial court employees.

Throughout the month of April, the AOC's HR Division sponsored regional collective bargaining training in the form of a discussion panel called "At the Table." It was designed to provide labor relations information that will enable the courts to operate effectively pursuant to requirements of the Trial Court Employment Protection and Governance Act. The training was also provided as a follow-up to suggestions made both inside and outside the judicial branch that such a program be offered.

Training sessions were held in Chico, Fresno, Sacramento, Oakland, and Burbank. They consisted of practical how-to programs that focused on pre- and postbargaining activities, strategies, tips, and what managers can expect to experience as they engage in the meet-and-confer process with recognized employee organizations.

The faculty for the panels, experienced in labor relations and collective bargaining, included individuals from the trial courts and the AOC's Office of the General Counsel and HR Division. The panel included Steve Cascioppo, Assistant Executive Officer, Superior Court of El Dorado County; Charlie Perry, Human Resources Director, Superior Court of Riverside County; Michael Glisson, Assistant Executive Officer, Superior Court of Nevada County; Joanne Sidwell, Manager of Labor and Employee Relations, Recruitment and Classification, and Policy Development, AOC; and Scott Gardner, Office of the General Counsel, AOC. Hazel Ann Reimche of the AOC's HR Division acted as moderator for the discussion panels.

The AOC's HR Division plans to provide more programs to assist the trial courts as they assume their new role as employer.

● For more information, contact the AOC's Human Resources Division, 415-865-4260. ■

Fresno County Jurors Treated to Local Artwork

On March 14, 2001, the Superior Court of Fresno County hosted an art exhibit reception in its jury assembly room to recognize local artists who donated their work to the court. The artwork is displayed in jury rooms throughout the courthouse to improve the environment for jurors, court employees, and other court users.

The art exhibit is one of many efforts by the Court Facilities Foundation, which offers funding for paint, carpeting, new seating, and other improvements

to enhance the lobbies, courtrooms, and other public areas of Fresno's main courthouse. The foundation has also sponsored other projects, including an exhibit on the fifth and second floors of the courthouse of nearly 90 historical photographs from the Pop Laval collection, as well as mural-sized paintings of the Yosemite area by Don Price, which are placed in the main lobby. The foundation is also working with local newspapers to collect historical headlines that can be reproduced, framed, and hung

on the walls of the courthouse.

The foundation, which is a nonprofit, 501(c)(3) organization, was established in 1996 at the suggestion of two local attorneys. It is comprised of judges, attorneys, members of the county's business community, and court staff. Throughout the year the foundation holds various fundraising activities that result in donations of art or money to offset project costs.

● For more information about the Court Facilities Foundation, contact Ernest Pauline, Assistant Court Executive Officer, Superior Court of Fresno County, 559-488-2655. ■

County Profile

Fresno



The main courthouse, located in the City of Fresno, was dedicated in 1966.

Geographic area: 6,000 square miles, located in California's Central Valley

Population: According to the 2000 U.S. census, the population is 799,407, making Fresno the 10th largest county in the state. By 2020, the population is expected to grow to 1,114,403.

Demographics:

Age: 0-19 \approx 35%; 20-39 \approx 29%; 40-59 \approx 23%; 60-79 \approx 10%; 80+ \approx 3%

Race/Ethnicity: White \approx 45%; Hispanic \approx 39%; Asian or Pacific Islander \approx 10%; Black \approx 5%; American Indian \approx 1%

Number of court locations: 15

Number of authorized judges: 36

Number of staff: 443

Caseload: Filings for 1999–2000 totaled 197,131

Annual court operating budget: \$42 million as of January 2001

Presiding judge: Gary D. Hoff

Executive officer: Tamara L. Beard

Of note: According to the county's official Web site, Fresno is the richest and most productive agricultural county in the United States. In 2000, the county grossed more than \$3 billion from the production of more than 200 commercial crops.

Sources: Superior Court of Fresno County; California State Department of Finance; U.S. Census Bureau



Superior Court of Fresno County's Presiding Judge Gary D. Hoff makes introductory remarks at an art exhibit reception held on March 14, 2001, to recognize local artists who donated their work to the courthouse. *Photo: Courtesy of the Superior Court of Fresno County*

Health-Care Update

Recent changes in the coverage provided by the California Public Employees' Retirement System (CalPERS) have severely impacted many workers around the state. State employees who rely on CalPERS for health insurance have been hit with escalating premium costs and reduced benefits.

The Preferred Provider Organization (PPO) plans offered through CalPERS (PERSCare and PERS Choice), which are self-funded by CalPERS and administered by Blue Cross of California, have undergone the greatest changes in costs and benefits. PERSCare and PERS Choice have been affected by unanticipated increases in enrollment (these plans experienced a 47 percent increase in

membership in the past three years and expect an additional 25 percent increase in 2001), the prices being charged by doctors and hospitals, the cost of prescription drugs, and the pool of retirees they must cover. As a result, many state employees subscribing to these plans have experienced higher premiums, exclusion of certain prescriptions, and increases in copayments and deductibles. They have also found that certain hospitals, general practitioners, and pharmacies are no longer included in their preferred provider network.

The Judicial Council and the Administrative Office of the Courts (AOC) are taking steps to address the needs of those affected by these changes in

health-care coverage, including meeting with the CalPERS Board of Administration on issues causing concern in the judicial branch. "The root problems of the state's health-care system are serious and complex and will not be quickly resolved," says Administrative Director of the Courts William C. Vickrey. "AOC staff is meeting regularly with representatives at CalPERS to make them aware of our concerns as they negotiate new contracts with health insurance providers."

The Judicial Council and the AOC have also taken the following steps to address the situation:

- The AOC's Human Resources Division is working with a consultant to look at options, which may include a judicial branch health plan;

- The Judicial Council has established, and Chief Justice Ronald M. George is appointing, an advisory committee to specifically deal with services to judges, including compensation, sabbaticals, health insurance, and many other issues;

- The Judicial Council is preparing to provide funding to CalPERS members in rural counties with no HMO options; and

- The Chief Justice and AOC staff have visited with legislators and representatives from the Governor's Office on these issues.

For expanded discussion of the situation surrounding increases in health-care costs and reductions in benefits, including additional information regarding recourse available, see the April 2001 Court News Special Report on health-care issues, or contact Jim Niehaus in the AOC's Human Resources Division, 415-865-4309, e-mail: jim.niehaus@jud.ca.gov. ■

Court Facilities

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maintenance, and administration is \$140 million for all existing trial court facilities. In reaching its conclusion that the state should assume full responsibility for these structures, the task force reasons that:

- The judicial branch is now wholly responsible for its trial court staff and operations, with the exception of facilities;

- Assuming responsibility for facilities increases the likelihood that operational costs will be considered when facilities decisions are made;

- The state, being solely responsible for creating new judge-ships, drives the need for new court facilities; and

- The state is in the best position to ensure uniformity of access to all court facilities in California.

Inventory, Evaluation, and Planning Options

In preparation for its report, the task force employed consultants who visited every courthouse in the state to survey and inventory court facilities. The consultants examined the physical condition and functionality of buildings

and analyzed the sizes of court spaces. They were guided in their evaluation by new design criteria adopted by the task force, based on the Judicial Council's 1991 California Trial Court Facilities Standards and the standards adopted by the National Center for State Courts, other states, and the federal government.

Commenting on the current status of court facilities in his "State of the Judiciary" address in March, Chief Justice Ronald M. George warned the Legislature that it would "find the results [of the *Second Interim Report*] alarming in many instances" and that "too many locations simply are unfit for the purpose for which they are being used."

Key findings from the inventory and evaluation process, which support the Chief Justice's concerns, characterize the state of trial court facilities. Some of those findings from the report include the following:

- Thirty percent of court facilities were built before 1960, and 72 percent before 1980;

- Twenty-two percent of all usable area for court operations is located in buildings rated as functionally deficient; and

- Twenty-one percent of all courtrooms are rated as deficient for the current use, principally

due to their holding areas, security, or in-custody facilities.

In order to address these deficiencies in court facilities, the task force included planning options in its report. In developing these options, the task force adopted a long-range perspective, examining each facility for its viability and suitability as a long-term resource. Rather than develop a specific plan for each county, the task force offered each jurisdiction a range of planning options for addressing facilities issues, including reuse of existing facilities, addition of space within existing buildings, renovation of court space, and construction of new space.

Need for Capital Investment

The task force developed estimates of the capital costs of providing the facilities improvements that are essential for meeting both current and future needs. To meet current needs, the task force recommends a range of \$281 million to \$338 million in annual investments for 10 years, depending upon the planning option selected by each county.

Along with their evaluation of present court facilities, consultants to the task force included in the report forecasts of future needs for additional trial court facilities. The report projects probable numbers of judges and court support staff through 2020 and combines these projections with the facilities guidelines to provide a model of growth upon which to base capital planning for facilities. According to the report, the estimated annual cost for new facilities to meet projected growth through 2020 is \$104 million for 20 years.

The period for public comment on the *Second Interim Report* on court facilities runs through June 1. After considering the comments that are submitted, the task force plans to release its final report in October.

● For more information or

to review the Task Force on Court Facilities' *Second Interim Report* in its entirety, visit its Web site at www2.courtinfo.ca.gov/facilities/. ■

Court Facility Needs

The Task Force on Court Facilities' *Second Interim Report* states that a significant number of California court buildings need repair, renovation, or attention to a backlog of maintenance tasks. The specific needs commonly identified throughout the state include:

- Security improvements at courthouse entrances and perimeters, including the separation of in-custody defendants from staff and the public;

- Safety improvements such as proper exiting systems, fire sprinklers, and seismic upgrades;

- Increased accessibility for the disabled;

- Reroofing and replacement of heating, ventilation, and air conditioning systems;

- An electrical and data distribution infrastructure that can accommodate modern technology;

- Increased jury assembly space;

- Relief of overcrowding in staff support areas; and

- Meeting space for settlement conferences and alternative dispute resolution.

Source: Task Force on Court Facilities' *Second Interim Report*



A significant number of California court buildings are in need of security improvements at courthouse entrances and perimeters. Photo: Jason Doiy